IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.569 of 2007

Shri Gorakh Dattu Lahamge — Petitioner
Vs.
Sou. Rekha Gorakh Lahamge & ors. — Respondents

Ms.P.P.Tendulkar i/b. Mr.M.S.Karnik for petitioner.
Mr.S.R.Shinde, APP for State.

CORAM: B.H.MARLAPALLE, J.

July 31, 2007.

P.C.

. Heard Ms.Tendulkar holding for Mr.Karnik, the learned counsel for the petitioner-husband.

. Misc. Criminal Application No.252 of 2003 filed by the respondent-wife came to be dismissed by the learned Judicial Magistrate, First Class at Nashik as per his judgment and order dated 14/3/2006. The said application was filed by the wife for herself and three children i.e. Dharti, Bharati and Vishal and the said order came to be challenged in Criminal Revision Application No.119 of 2006. The revision was partly allowed by the learned Ad-hoc Addl. Sessions Judge, Nashik by his judgment and order dated 26/2/2007. The Revision Court has been pleased to grant maintenance of Rs.500/- per month

only to the wife. The said order is under challenge in this petition.

. The marriage between the parties was not disputed and what was in dispute was the paternity of the children by the petitioner-husband. The learned Ad-hoc Addl. Sessions Judge considered the income of the husband and estimated the same at Rs.3000/- per month. He has also examined the requirements of the respondent-wife and granted an amount of Rs.500/- per month. No interference is called for in the impugned order dated 26/2/2007 and hence the petition is rejected summarily.

. This order will not come in the way of the parties to negotiate for an amicable settlement either for obtaining a divorce or for cohabitation.

(B.H.MARL